

IN THE MATTER OF THE APPLICATION OF STEPHEN P. BROWN, ET UX FOR A ZONING VARIANCE ON PROPERTY LOCATED ON THE NORTHWEST CORNER GERMAN HILL ROAD AND 51ST STREET (7014 GERMAN HILL ROAD) * BALTIMORE COUNTY 12TH ELECTION DISTRICT * CASE NO. 90-77-A 7TH COUNCILMANIC DISTRICT

OPINION

This is an appeal from the decision of the Deputy Zoning Commissioner dated September 26, 1989 wherein the Appellants request for a variance to permit a side yard setback of five feet in lieu of the required ten feet and a rear yard setback of five feet in lieu of the required twenty feet for a proposed addition was denied. The appeal to this Board is heard de novo and this decision is based upon the evidence, testimony, exhibits and arguments of Counsel presented before it on May 25, 1990.

The Appellant, Stephen P. Brown, was represented by Philip O. Tilghman, Esquire, and was the only witness to appear and testify in Appellant's case. Peter Max Zimmerman, Esquire, Deputy People's Counsel for Baltimore County, participated in the proceedings. Several witnesses appeared and testified in opposition to the variance request, all of whom lived in the immediate neighborhood and were property owners. They were: Joseph Leshko, Frances Tyber, Alex Korotunow, Lynn Ayd, John Gummer and Leo Wojciechowski. Mr. Tyber also testified on behalf of the Graceland Park Improvement Association.

The subject property known as 7014 German Hill Road, is located on the north side of German Hill Road between 50th Street

Stephen P. Brown, et ux, Case No. 90-77-A and 51st Street consisting of .57 acres presently zoned BL and improved with a one-story building being used as a food store. The existing store is 3,241 square feet and is approximately five feet from the west property line of the site. The entrance to the store faces 51st Street and between the store and 51st Street is an existing parking lot. Vehicular access is off of German Hill Road. Testimony established that the front of the property is German Hill Road and the rear of the property is to the north, which abuts residential properties, one of which is owned by the Appellant and the other by one of the Protestants. The Appellant is presently constructing a residential home on his lot located to the rear where he intends to live with his family.

Mr. Brown testified that he proposes to construct a 2,435 square foot addition to the existing building with the same side yard setbacks as the existing building and with a rear yard setback of five feet. He informed the Board that it would be more desirable both for him and the community if he were permitted to build within the requested setbacks. In his opinion, there would be no noticeable difference in light of air, and that if he were required to meet the ten foot setback requirement, he would have difficulty in tying in the newly proposed addition with the existing structure. He further informed the Board that there would be less of a security problem in the northwest corner of the property if the variances were granted. In his opinion, the granting of the variances would not be injurious to the health,

Stephen P. Brown, et ux, Case No. 90-77-A welfare and safety of the community. He indicated that the building addition could be constructed without the requested variances, but that would interfere with his existing parking.

The Protestants, all of whom resided within close proximity to the subject site, testified in opposition to the requested variances. In their opinion, the request would be detrimental to the health, safety or general welfare of the community. Throughout their testimony, their chief complaint was that trash and debris is presently being generated from the use of the property and that the enlargement of the food store would only increase the problem. Also, testimony was offered that the present food store emanates food odors and generates parking problems overflowing onto German Hill Road. In addition, Mr. Alex Korotunow testified that he lives to the rear of the property where the proposed addition is to be constructed. His chief complaint was that if the building were erected with the granting of the requested variances, it would be closer to his property and would be more of a height encroachment upon his property than if it were erected within the required zoning regulations.

Several photographs were offered into evidence by the Protestants showing the general area, present condition of the subject property, present use of the five foot side yard setback and the location of the dumpster on the property with trash and debris.

Stephen P. Brown, et ux, Case No. 90-77-A

The Petitioner is seeking both side yard and rear yard setback variances which are area variances as opposed to use variances. The law is well-settled that such area variances may be granted where strict application of the Zoning Regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). Before an area variance will be granted, the property owner must prove that practical difficulty exists and must meet the following.

1. Whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. Whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Board of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

The Board has reviewed all of the evidence and testimony presented in these proceedings and finds as a matter of fact that the evidence is insufficient to support a finding by the Board that the Appellant would experience practical difficulty or unreasonable hardship if the requested variance were denied. The Board does not feel that the Appellant has met the necessary burden of proof for the granting of the variance. The testimony of the Appellant was more along the lines of benefit and convenience to him as opposed to the necessity for the variance. The Appellant's reasons given

Stephen P. Brown, et ux, Case No. 90-77-A

for the requested variance do not support a finding that strict application of the Zoning Regulations would cause practical difficulty to him. This Board cannot conclude that compliance with the present setback regulations would unreasonably prevent the Appellant the use of the property or be unnecessarily burdensome to him.

ORDER

For the reasons as set out above, it is this 12th day of June, 1990 by the County Board of Appeals of Baltimore County ORDERED that the Petition for Zoning Variances to permit a side yard setback of five feet in lieu of the required ten feet and a rear yard setback of five feet in lieu of the required twenty feet for a proposed addition, be and is hereby DENIED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
Arnold G. Foreman, Acting Chairman
Michael B. Sauer
Lynn B. Moreland

IN RE: PETITION FOR ZONING VARIANCE NW/Corner German Hill Road and 51st Street (7014 German Hill Road) 12th Election District 7th Councilmanic District * Case No. 90-77-A Stephen P. Brown, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 5 feet in lieu of the required 10 feet and a rear yard setback of 5 feet in lieu of the required 20 feet for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners, by Stephen P. Brown, appeared, testified, and were represented by S. Eric DiNenna, Esquire. Also appearing on behalf of the Petition was Henry M. Appel with Spellman, Larson and Associates. Appearing as Protestants were the following individuals: John Gummer, Martin Ferguson, Alex Korotunow, Thelma Wojciechowski and Frank and Cecelia Tyber. Mr. Tyber appeared on behalf of himself and the Graceland Park Improvement Association.

Testimony indicated that the subject property, known as 7014 German Hill Road, consists of 0.57 acres zoned B.L. and is improved with a one story building currently occupied by a franchisee of Santoni's Food Market. Mr. Brown testified that at the request of the franchisee, he proposes constructing a 2,435 sq.ft. addition to the existing structure with the same side yard setbacks as the existing building. He indicated that to build an addition without the requested variances would interfere with existing parking and would result in a building of less aesthetic appeal. Mr. Brown testified that the design of the proposed addition

permitted a larger parking area resulting in easier maneuverability for customers. Mr. Brown further testified that in his opinion, the granting of the variance will not result in any detriment to the health, safety or general welfare of the community as the proposed addition will provide additional retail space.

The Protestants testified they are opposed to the granting of the requested variances as, in their opinion, said relief is detrimental to the health, safety or general welfare of the community. Testimony indicated that the store as presently operated generates trash and debris onto adjoining residential properties. Further, that food odors from cooking on the premises and spoilage in the dumpster on the property interfere with adjoining property owners' enjoyment of their property. The Protestants believe the proposed expansion will only intensify the problem.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, there is insufficient evidence to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance were denied. The testimony presented by Petitioners was in support of a matter of preference rather than of the necessity for the variance. The Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the variance requested must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 16th day of September, 1989 that the Petition for Zoning Variance to permit a side yard setback of 5 feet in lieu of the required 10 feet and a rear yard setback of 5 feet in lieu of the required 20 feet for a proposed addition in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 9/16/89
By [Signature]

512 **PETITION FOR ZONING VARIANCE**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 232.2b to allow a side yard and set back of 5 ft. in lieu of required 10 ft. Section 232.36 to allow a rear yard of 5 ft. in lieu of required 20 ft.

1. To maintain the legally established 5 ft. side yard set back;
2. Irregular shape of lot;
3. Such other and further reasons to be presented at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____

Attorney for Petitioner: _____
S. Eric DiNenna, Esquire
(Type or Print Name)
Signature _____
Address _____
City and State _____

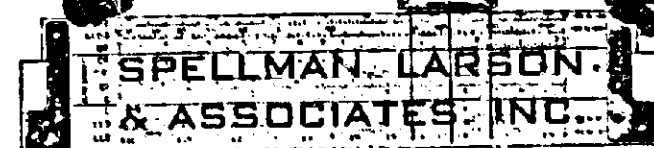
O. Box 10508
Address _____
Baltimore, MD 21285-0508
City and State _____
Attorney's Telephone No.: 296-6820

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of _____ 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____ 1989, at _____ o'clock _____ P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

(over)



SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
ALFRED F. JONES, P.L.S.

DESCRIPTION FOR VARIANCES TO ZONING, 7014 GERMAN HILL ROAD, 12TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the North side of German Hill Road, as widened, at the end of the cutoff connecting the North side of German Hill Road and the West side of 51st Street, 50 feet wide, and running thence and binding on the North side of German Hill Road South 85 Degrees 27 Minutes 06 Seconds West 140.05 feet thence leaving the North side of German Hill Road and running North 3 Degrees 05 Minutes 30 Seconds West 133.51 feet North 86 Degrees 54 Minutes 30 Seconds East 25.00 feet North 3 Degrees 05 Minutes 30 Seconds West 25.00 feet and North 86 Degrees 54 Minutes 30 Seconds East 125.00 feet to the West side of 51st Street herein referred to and running thence and binding on the West side of 51st Street South 3 Degrees 05 Minutes 30 Seconds East 144.70 feet to the cutoff herein referred to and running thence and binding on said cutoff South 41 Degrees 10 Minutes 50 Seconds West 14.32 feet to the place of beginning. Containing 0.57 acres of land, more or less.

5/1/89

RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING • TILES • LOCATION SURVEYS • TECHNICAL CONSULTATION



PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
JOHN GUMMER	7000 GERMAN HILL RD 21222
MARTIN FERGUSON	719- 50TH ST 21224
ALEX KORTUNOW	731- 50TH ST 21224
THELMA KASCIECHOWSKI	1505 DELUABLE AVE 21222
CECELIA TYBER	1203 BETHLEHEM AVE
FRANK TYBER	" " "

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
STEPHEN P. BROWN	7100 GERMAN HILL RD
HENRY M. APPEL	Suite 107, Jefferson Bldg, Towson
(Spellman, Larson & Jones)	

CERTIFICATE OF POSTING

District 12th Date of Posting 9/10/89
Posted for: Stephen P. Brown et al
Petitioner: Stephen P. Brown et al
Location of property: 7014 German Hill Rd. 51st St.
Location of Sign: Being removed Hill Rd., across 10th E. roadway on property of R. Haines
Remarks: _____
Posted by: William Haines Date of return: 9/15/89
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 10, 1989
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md, appearing on August 10, 1989.

THE JEFFERSONIAN,
S. Zafe Orlean
Publisher

PO 15153
reg M31086
ca 90-77-1
price \$ 39.40

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle
4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222
August 10, 1989

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hrgs. Case # 90-77-A - P.O. #15152 - Reg. #M31085 78 lines & 239 was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for one ~~XXXXXX~~ week before the 11th day of August 1989; that is to say, the same was inserted in the issues of August 10, 1989

Kimbel Publication, Inc.
per Publisher.
By S.C. Niles

BALTIMORE COUNTY, MARYLAND No. 077575
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 10-20-89 ACCOUNT R-01-615-000
AMOUNT \$ 150.00
RECEIVED Signature
FOR NOTICE FILING - CASE # 90-77-A
90-77-2
9 GERMAN HILL RD 51ST ST

7th Councilmanic District
Stephen S. Johnson

RECEIVED
PAYMENT
10-20-89 (O.K. CEN)
ZONING OFFICE

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

Re: Petition for Zoning Variance
CASE NUMBER: 90-77-A
NAC German Hill Road and 51st Street
7014 German Hill Road
12th Election District - 7th Councilmanic
Petitioner(s): Stephen P. Brown, et al
HEARING SCHEDULED: WEDNESDAY, SEPTEMBER 6, 1989 at 11:00 a.m.

Dear Mr. & Mrs. Brown:
Please be advised that \$103.40 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND No. 074534
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 9/6/89 ACCOUNT R-01-615-000
AMOUNT \$ 103.40
RECEIVED Signature
FROM: Stephen P. Brown, et al
FOR: Posting & Adv. for 9/6/89 hearing 90-77-A
B 8 025*****103403 3664F

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 90-77-A
NAC German Hill Road and 51st Street
7014 German Hill Road
12th Election District - 7th Councilmanic
Petitioner(s): Stephen P. Brown, et al
HEARING SCHEDULED: WEDNESDAY, SEPTEMBER 6, 1989 at 11:00 a.m.

Variances to allow a side yard setback of 5 ft. in lieu of the required 10 ft.; to allow a rear yard of 5 ft. in lieu of the required 20 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gs
cc: Stephen P. Brown, et al
S. Eric DiNenna, Esq.
File

Braceland Park

Improvement Association
1203 Bethlehem Ave. Baltimore, Maryland 21222
633-8941 284-6506

August 30, 1989

RECEIVED
SEP 1 1989

Baltimore County Zoning Commission
Office of Planning and Zoning
Towson, Maryland 21204

Re: Case # 90-77A

ZONING OFFICE

Gentlemen:

Please be advised that the members of our association have unanimously voted to take whatever action may be necessary in order to prevent the erection of any addition to the property in question.

Records will show that a change of zoning was granted on the property for the alleged purpose of a parking lot. No opposition was voiced thereto since the underlying reason for said re-zoning was with an extension to the present commercial establishment was carefully masqueraded in order to deceive concerned area residents.

The granting of the requested variances would cause further deterioration of abutting properties. It would further prohibit the placing of necessary dumpsters at proper locations in the back of business establishments. Presently a dumpster is located on the front of the property without any camouflage whatsoever. This location is facing German Hill Road which is a major thoroughfare through our area. Offensive odors emitting from the present establishment have caused great concern to immediate neighbors and forced area residents to take action.

Any further addition would only exacerbate the present situation and is not conducive to the health and general welfare of our community.

Sincerely yours,

Francis J. Jaber
Francis J. Jaber, Pres.

cbt

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

October 31, 1989



Dennis F. Rasmussen
County Executive

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Zoning Variance
NW/Corner German Hill Road and 51st Street
(7014 German Hill Road)
12th Election District, 7th Councilmanic District
STEPHEN P. BROWN, ET UX - Petitioner
Case No. 90-77-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on October 20, 1989 by Stephen P. Brown, Petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Stephen P. Brown, 7100 German Hill Road, Dundalk, MD 21222

Henry M. Appel - Spellman, Larson and Associates
Suite 107, Jefferson Building, Towson, Maryland 21204

John Gummer, 7000 German Hill Road, Baltimore, MD 21222

Appeal Cover Letter - Case No. 90-77-A
STEPHEN P. BROWN - Petitioner
October 31, 1989
Page 2

Martin Ferguson, 719 50th Street, Baltimore, MD 21224

Alex Korotunov, 721 50th Street, Baltimore, MD 21224

Thelma Wojciechowski, 1505 Delvale Avenue, Baltimore, MD 21222

Frank and Cecel's Tyber, 1203 Bethlehem Avenue, Balto., MD 21222

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 20, 1989

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for June 6, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 502, 505, 506, 507, 509, and 512.

For items 417 and 510 the previous County Review Group comments are still valid.

Comments are attached for item 407.

For item 504, Oak Avenue shall ultimately be improved as a 30-foot street cross-section on a 50-foot right-of-way.

For item 508, parking should not be set up to back out onto future Craddock Lane.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWR:s

Encl.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: August 30, 1989
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Stephen P. Brown, et ux, Item 512
Zoning Petition No. 90-77-A

The petitioners request a Variance to allow a reduced rear and side yard setback.

In reference to this request, staff offers the following comments:

The site was denied a CRG waiver for plan and meeting on January 19, 1989. The plan submitted with that request showed an addition that complied with all setback requirements. The plan also indicated that a reasonable use of the property exists without any need for variances. In fact, the enlarged proposed addition would result in a difference of only 150 sq. ft.

In Case No. 90-2-A the petitioner requested variances to allow a minimum lot width of 50 feet in lieu of the required 55 feet. At that time, staff recommended a statement be attached on the site plan indicating that all development shall conform to the setbacks as shown and additional variances shall not be granted for setbacks on the subject property. The position of this office has not changed and staff opposes any further variances at this location.

Based upon the information provided and analysis conducted, staff recommends that if this request is granted, the following condition be attached:

A landscape plan showing adequate buffer should be reviewed and approved by the County Landscape Planner prior to the issuance of any building permits.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

PK/JL/sf

SP 0 4 1989

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3354

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 407, 417, 502, 503, 504, 505, 506, 507, 508, 509, 510 and 512.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lab

July 24, 1989

RECEIVED
AUG 3 1989

ZONING OFFICE

Dennis F. Rasmussen
County Executive

LAW OFFICES
GISRIEL & GISRIEL
SUITE 400
210 E. LEXINGTON STREET
BALTIMORE, MARYLAND 21202-3514

May 23, 1990

W. THOMAS GISRIEL
MICHAEL GISRIEL
THOMAS A. GISRIEL
PHILIP O. TILGHMAN
VIN H. ZIMMERMAN

TELEPHONE
(410) 538-0373
FAX LINE
(410) 538-3858

Board of Zoning Appeals
Baltimore County Office Building
111 W. Chesapeake Avenue
Towson, Md. 21204

Re: Appeal Case No. 9077 A
Property: 7014 German Hill Road
Hearing: Friday, 5/25/90 at 1P.M., Room 301
Appellant: Stephen P. Brown

Please enter my appearance as counsel for Stephen P. Brown and Irene Brown in the above captioned case. Their address is 7100 German Hill Road, Baltimore, Maryland 21222.

Philip O. Tilghman
Philip O. Tilghman

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500

Paul H. Reincke
Chief

JUNE 12, 1989

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Dennis F. Rasmussen
County Executive

RE: Property Owner: STEPHEN P. BROWN

Location: #7014 GERMAN HILL ROAD

Item No.: 512 Zoning Agenda: JUNE 6, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of 300' feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. New fire hydrant required at the corner of German Hill Road and 51st Street.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Pat Keller* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEE

JUN 14 1989

06-10-10-30
RECEIVED
COUNTY BOARD OF APPEALS

GERMAN HILL ROAD